

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:	}	CASE NUMBER 24-53916-pwb
Fernando Coscorrosa	}	
	}	CHAPTER 7
	}	
DEBTOR(S)	}	

IN RE:	}	
Fernando Coscorrosa	}	CONTESTED MATTER
	}	
MOVANT	}	
	}	
v.	}	
	}	
Derik Toussant	}	
	}	
RESPONDENT	}	

MOTION TO AVOID JUDICIAL LIEN ON EXEMPT PROPERTY

COMES NOW Debtor, Fernando Coscorrosa, who commenced this case on April 17, 2024, by filing a voluntary petition for relief under Chapter 7 of Title 11 of the United States Bankruptcy Code.

This court has jurisdiction over this motion, filed pursuant to 11 U.S.C. Sec. 522(f) and Federal Rule of Bankruptcy Procedure 4003(d) to avoid and cancel a judicial lien held by Respondent against property claimed as exempt. All such possessions of the Debtor have been claimed as fully exempt in the bankruptcy case.

1.

Debtor files this Motion under 11 U.S.C. § 522(f) to avoid the judicial lien which has attached to the property of the Debtor through action of law following a monetary judgment in the amount of \$829,878.40 obtained by Respondent in the Superior Court of Cobb County, State of Georgia.

2.

Said judicial lien impairs Debtor's interest in property which Debtor would ordinarily be able to exempt under 11 U.S.C. 522 and O.C.G.A. § 44-13-100.

WHEREFORE, The Debtor prays for an order canceling the judicial lien in the above-mentioned property against Respondent and for such claim to be treated as a general unsecured claim and for such additional or alternative relief as may be just and proper.

Respectfully submitted,

Dated: Monday, May 27, 2024

_____/s/_____
Lorena L. Saedi 622072, Attorney for Debtor
Saedi Law Group, LLC
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Atlanta, GA 30341
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**NOTICE OF REQUIREMENT OF RESPONSE TO
MOTION TO AVOID LIEN ON EXEMPT PROPERTY AND OF
TIME TO FILE SAME**

NOTICE IS HEREBY GIVEN that, on May 27, 2024 a motion to avoid lien on exempt property pursuant to 11 U.S.C. § 522 was filed in this case.

NOTICE IS FURTHER GIVEN that, pursuant to BLR 6008-1(b), Respondent must file a response to the motion within 21 days after service, and serve a copy of said response upon Movant. If no response is timely

filed and served, the motion will be deemed unopposed and the Bankruptcy Court may enter an order granting the relief sought.

Dated: Monday, May 27, 2024

_____/s/_____
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CERTIFICATE OF SERVICE

I hereby certify that on Monday, May 27, 2024, I electronically filed the *Motion to Avoid Lien on Exempt Property, together with the Notice of Requirement of Response to Motion to Avoid Lien on Exempt Property and of Time to File Same* using the Bankruptcy Court's Electronic Case Filing ("ECF") program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Kathleen Steil, Chapter 7 Trustee, was served via the ECF electronic mail noticing system

I further certify that on this day I caused a copy of this document to be served via United States First Class Mail, with adequate postage prepaid on the following parties at the address shown for each:

Fernando Coscorrosa
415 Ruths Blvd.
Woodstock, GA 30188
Served via US Mail

Derik Toussant
2657 Avanti Way
Decatur, GA 30035
Served via US Mail

Dated: Monday, May 27, 2024

_____/s/_____
Lorena L. Saedi 622072, Attorney for Debtor
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